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Attorney Docket No. 102.0003-04000  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )

Gary Karlin Michelson, M.D. )

Serial No.: 09/626,636 )

Group Art Unit: 3731

Filed: July 27, 2000 )

Examiner: U. Ho

For: APPARATUS AND METHOD OF )  
INSERTING SPINAL IMPLANTS )

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**CERTIFICATE OF MAILING VIA FIRST CLASS MAIL**

Date of Deposit: May 23, 2002


I hereby certify that:

1. Information Disclosure Statement Under 37 C.F.R. § 1.97(c)
2. Form PTO-1449
3. 5 documents with one partial translation
4. Check in the amount of \$180.00 (IDS fee)
5. Self-addressed stamped return postcard receipt

are being deposited with the United States Postal Service to Addressee with sufficient postage as first class mail under 37 C.F.R. § 1.8 on the date indicated above and are addressed to:

Assistant Commissioner for Patents  
Washington, D.C. 20231

Date: May 23, 2002

  
Sandra L. Blackmon

14500 Avion Parkway, Suite 300  
Chantilly, VA 20151-1101  
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TECHNOLOGY CENTER 10700

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Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final Action or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

Copies of the listed documents are attached.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

An English translation of the non-English document is enclosed.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed

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documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-1068.

Respectfully submitted,

MARTIN & FERRARO, LLP

Date: May 23, 2002

By:   
Thomas H. Martin  
Registration No. 34,383

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